IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

Bail Appl..No. 3805 of 2007()

CMP.2245/2007 of J.M.F.C., SASTHAMCOTTA
CRIME NO.297/2006 OF THEKKUMBHAGOM POLICE STATION

.....

PETITIONER : 5TH ACCUSED

AJTH KUMAR, S/O.GOPALAIRISHNAN
GOKULAM VEEDU, PANMANA,
CHAVARA, KOLLAM

BY ADV. SRI.DILEEP P.PILLAI

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.3805 of 2007

Dated this the 25th day of June 2007

O R D E R

Application for regular bail. The petitioner is the fifth accused in a crime registered inter alia under Sections 326 and 307 read with 149 I.P.C. The alleged incident took place on 17/9/2006. The victim has allegedly suffered a grievous injury. Altogether there are fifteen accused persons. There are three injured persons. The petitioner was arrested on 15/6/2007. He continues in custody from that date.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. The petitioner may now be enlarged on bail subject to appropriate conditions, it is prayed. The learned Public Prosecutor opposes the application. The learned Public Prosecutor only prays that some further time may be granted to the investigators to complete the investigation before the petitioner is released from custody. I am satisfied in these circumstances that bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 02/07/2007. The police shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays, for a period of two months and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007